

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Conf. No.: 8576
Felix Paul Jaecklin)
Application No.: 10/645,601) Group Art Unit: 3637
Filed: August 22, 2003) Examiner: Christine T. Cajilig
For: STUCTURE, ESPECIALLY A SLOPE-)
SUPPORTING STRUCTURE AND/OR NOISE-)
BARRIER STRUCTURE)

Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: Box Petitions

Dear Sir:

In response to the Decision on Petition dated March 9, 2011, the period for response having been extended by the Petition and Fee under 37 C.F.R. 1.136(a), Petitioner herewith renews the previously filed petition under 37 C.F.R. 1.181 to withdraw the holding of abandonment of the subject application. In further support of this petition, Practitioner states that the Office action of December 28, 2007 was not received by Practitioner's former or present firms, and that a search of the file jacket and docket records of his present and former firms indicates that the non-responded Office action of December 28, 2007 was not received by either of such firms, submits herewith the declarations of the Practitioner and Thomas P. Pavelko, also a partner of Practitioner's prior and present firms, attesting to such facts and submits a substitute response to the Office action of November 13, 2007 as required in the notice of non-compliant amendment dated December 28, 2007. Practitioner further advises that to the extent that Practitioner has been able to determine as evidenced by a review of the image file wrapper of the Patent Application Information Retrieval website, a copy of which is submitted herewith, there is no outstanding Office action having been mailed on February 12, 2009, referred to on page 2,

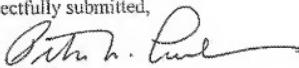
second full paragraph under the subtitle "With respect to item 1:" of the decision on petition dated March 9, 2011.

Petitioner further states that the entire delay in filing the required reply from the due date for reply to the outstanding Office action until filing of a grantable petition was unintentional.

In view of the foregoing, Practitioner respectfully requests that the adverse decision on petition in the above application be withdrawn and that such petition be granted.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith, or credit any overpayment, to our Deposit Account No. 14-1437.

Respectfully submitted,


Peter N. Lalos
Registration No. 19,789

Date: May 10, 2011



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10/04/501

Structure, especially a slope-supporting structure and/or noise-barrier structure

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New Case	Application Transaction	Image File	Priority	Patentee	Address & Date	Attorneys/Agents/Resources
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Available Documents

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09-09-2011	PETDEC	Petition Decision Petition for review by the Office of Petitions.	PROSECUTION	3 PDF
09-08-2009	PET OP	Rule 120, 131, or 132 Affidavit(s) EIS Acknowledgment Receipt	PROSECUTION	2 PDF
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04-28-2008	N417	Notice to the applicant regarding a non-compliant or non-responsive amendment Notice to the applicant regarding a non-compliant or non-responsive amendment Request for Continued Examination (RCE) Amendment Submitted/Entered with Filing of RCE	PROSECUTION	2 PDF
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